

ABSTRACT

Public services - Endowments Department – Allegation of Corruption against Sri Pidikiti Venkatesulu, Senior Assistant of Sri Kadiri Lakshmi Narasimha Swamy Devasthanam, Kadiri, Anantapur district – Trapped on 09.03.2008 – Sanction of Prosecution – Orders – Issued.

REVENUE (VIG.IV) DEPARTMENT

G.O.Ms.No. 907.

Dated the 26th of August, 2009.

ORDER:

Whereas, Sri Pidikiti Venkatesulu, S/o. P. Muthyalappa, worked as Senior Assistant in the O/o. the Executive Officer, Sri Kadiri Lakshmi Narasimha Swamy Devasthanam, Kadiri, Anantapur district, from 01.11.2004 to 09.03.2008 and as such, by the virtue of the post held by him, he falls under the category of public servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, it is alleged that the complainant Sri Thammisetty Ramesh, S/o. Sri T. Subbanna, Contractor of the Bath rooms & latrines of Sri Kadiri Lakshmi Narasimha Swamy Temple, Kadiri, Anantapur district stated that since 5 years he was eking out his livelihood by doing contract work of bathrooms and latrines of Sri Kadri Lakshmi Narasimha Swamy Temple, Kadiri, Anantapur district. On 22.2.2008 an open auction was conducted under supervision of A.O-1, Sri K. Parameswarappa, Executive Officer of the said Temple for four bathrooms and two latrines of gents and four bathrooms and two latrines of ladies in the premises of the said temple. In that auction, the complainant Sri T. Ramesh came out as a highest bidder for Rs.1,10,000/-. On the same day, i.e., on 22.2.2008, he had paid Rs.80,000/- towards bid amount and obtained a receipt from Sri K. Parameswarappa, Executive Officer (A.O-1) to that effect. On the very next day of his bidding, A.O-1 Sri K. Parameswarappa, fixed four new taps in front of ladies bathrooms, which incurred loss to the complainant Sri T. Ramesh as nobody was coming to take bath in the said bath rooms. For that, on 2.3.2008 the complainant Sri T. Ramesh submitted a petition (complaint) to the A.O-1, Sri Parameswarappa with a request to remove the said newly fixed four taps in front of the ladies bathrooms. For that, AO1, Sri K. Parameswarappa, demanded an amount of Rs.5,000/- as bribe amount for removal of four new taps fixed in front of the ladies bathrooms for which the complainant Sri T. Ramesh expressed his inability to pay the bribe amount of Rs.5,000/-. On 5.3.2008 morning, the complainant again met Sri K. Parameswarappa, Executive Officer (AO-1) at his residential quarter and requested him for removal of the said four taps, but all his efforts became futile. Again on 8.3.2008 morning, the complainant Sri T. Ramesh met Sri K. Parameswarappa (A.O-1) and requested him to remove the newly fitted four taps in front of the ladies bathrooms. But all his requests fell on deaf ear of Sri K. Parameswarappa (A.O-1) and as there was no other go for the complainant Sri T. Ramesh, he unwillingly agreed to pay the bribe amount of Rs.5,000/ to AO-1, Sri K. Parameswarappa. For that, AO1, Sri Parameswarappa asked the complainant Sri T. Ramesh to come to his quarter with bribe amount on the after noon of 9.3.2008;

3. And whereas Sri T. Ramesh, S/o. Sri T. Subbanna, Contractor of the Bathrooms & latrines of Sri Kadiri Lakshmi Narasimha Swamy Temple, Kadiri, Anantapur district, was not willing to pay the said demanded bribe amount of Rs.5,000/- to Sri Parameswarappa, Executive Officer of Sri Kadiri Lakshmi Narasimha Swamy Devasthanam, Kadiri, Anantapur district. On 8.3.2008 at 1230 hours, he went to ACB office, Anantapur and lodged a written Telugu complaint before the Deputy Superintendent of Police, ACB, Anantapur and requested him to take necessary action against Sri K. Prameswarappa, Executive Officer of Sri Kadri Lakshmi Narasimha Swamy Temple, Kadiri, Anantapur district. After due verification of the antecedents of A.O-1 Sri K. Parameswarappa and genuineness of the complaint on 9.3.2008 at 0600 hours, Sri R. Venganna, Deputy Superintendent of Police, Anti-Corruption Bureau, Anantapur registered the said complaint as a case in Cr.No.3/RCT-ATP/2008 Under section 7 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and took up investigation;

4. And whereas, it was further alleged that during the course of trap, on 9.3.2008 at about 1645 hours, the complainant Sri T. Ramesh came out from the office of the A.O.-1 Sri K. Parameswarappa and gave pre-arranged signal to the trap party by wiping his face thrice with his handkerchief. When the both hand fingers of the A.O.-2 and K. Parameswarappa subjected to phenolphthalein test, they yielded positive results. On that the AO-1 Sri K. Parameswarappa voluntarily stated that he had taken the tainted amount of Rs.5,000/- from T. Ramesh, the contractor of bathroom and latrines of Sri Kadiri Lakshmi Narasimha Swamy Temple as a bribe with his right hand and after counting the said tainted amount with his two hands, he handed over the same amount to AO-2 Sri P. Venkatesulu, Senior assistant of the said Temple, as a token of repayment of the hand loan of Rs.5,000/- taken from the said AO-2 Sri K. Parameswarappa. Then the Deputy Superintendent of Police, Anti-Corruption Bureau, called for the AO-2 P. Venkatesulu, who was kept aside in another room and asked about the tainted amount. On that the AO-2 Sri P. Venkatesulu voluntarily stated that he had taken the tainted amount of Rs.5,000/- from the said AO-1, K. Parameswarappa, Executive Officer, as he had given a hand loan of Rs.5,000/- to AO-1, K. Parameswarappa, and thus he had taken the tainted amount as a token of repayment. So saying the AO-2 Sri P. Venkatesulu showed the tainted amount of Rs.5,000/- which he had kept the same on the wooden table which was covered by the white flexi banner. The tainted currency notes of Rs.5,000/- were recovered from the possession of the A.O.-2 Sri P. Venkatesulu. The currency note numbers and denominations mentioned in the pre-trap proceedings tallied. The very act of A.O.2 Sri P. Venkatesulu in receiving the tainted amount from A.O.-1 K. Parameswarappa shows that he is no "Innocent carrier" and that he very much aided and abetted A.O.1 K. Parameswarappa in his offence. All the relevant files and the material objects were seized under the cover of post trap proceedings;

5. And whereas the said acts of Sri P. Venkatesulu, S/o. P. Muthyalappa, Senior Assistant of the O/o. Executive Officer of Sri Khadri Lakshmi Narasimha Swamy Devasthanam, Kadiri Anantapur district, constitute offence punishable Under section 12, of the Prevention of Corruption Act 1988 (Act 49 of 1988) read with section 107 (3) Indian Penal Code.

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove Sri P. Venkatesulu, S/o. P. Muthyalappa, Senior Assistant, O/o. Executive Officer of Sri Kadri Lakshmi Narasimha Swamy Devasthanam, Kadiri, Anantapur district from Government service after fully and carefully examining the material placed before them in respect of the said allegations and having regard to the facts and circumstances of the case consider that the said Sri P. Venkatesulu, S/o. P. Muthyalappa, age 39 years, Senior Assistant of the O/o. Executive Officer, Sri Kadri Lakshmi Narasimha Swamy Devasthanam, Kadiri, Anantapur district should be prosecuted in a court of law for the aforesaid offence;

7. Now, therefore in exercise of the powers conferred under clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri P. Venkatesulu, S/o. P. Muthyalappa, age 39 years, Senior Assistant of the O/o. Executive Officer, Sri Kadiri Lakshmi Narasimha Swamy Devasthanam, Kadiri, Anantapur district for the aforesaid offence punishable under section 12 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) read with section 107 (3) of Indian Penal Code and for any other cognate offences punishable under the provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offence by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(K. V. RAMANA CHARY)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti-Corruption Bureau, Hyderabad.